

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
STATESVILLE DIVISION

MICHAEL J. GARVEY,

Plaintiff,

v.

SETERUS, INC., SUBSTITUTE TRUSTEE
SERVICES, INC., HUTCHENS LAW FIRM,
LACEY M. MOORE, CHRISTOPHER T.
SALYER, SHIANN SCHMIDT, SHAPIRO &
INGLE, LLP, MICHAEL JAY EMREY, AND
KYLE STEWART,

Defendants.

Case Number: 5:16CV209-RLV

Motion for Extension of Time

NOW COMES, Defendants Substitute Trustee Services, Inc., Hutchens Law Firm, Lacey M. Moore, Christopher T. Salyer, and Shiann Schmidt (“Defendants”) by and through the undersigned counsel pursuant to Rule 6 of the Federal Rules of Civil Procedure, and moves this Court for an extension of time of thirty (30) days, up to and including January 20, 2017, in which to serve its Answer or otherwise respond to Plaintiff’s Complaint. In support of said Motion, Defendants show the Court the following:

1. On November 17, 2016, Plaintiff filed his Complaint against Defendants.
2. On information and belief, Defendants were served the Complaint on or about November 30, 2016.
3. The undersigned counsel has been retained to represent Defendants in this matter.
4. This Motion is timely.

5. Counsel for Defendants need additional time to respond to Plaintiff's Complaint.
6. This Motion is being made in good faith and not for the purpose of unnecessarily delaying this proceeding.
7. By filing this Motion Defendants do not waive any defense related to proper service.

WHEREFORE, Defendants respectfully pray that this Court grant its Motion for a thirty (30) day extension of time, up to and including January 29, 2017, in which to serve its Answer or otherwise respond to Plaintiff's Complaint.

Respectfully submitted this the 12th day of December, 2016.

Hutchens Law Firm LLP
Attorneys for Defendants, Substitute
Trustee Services, Inc., Hutchens Law Firm,
Lacey M. Moore, Christopher T. Salyer, and
Shiann Schmidt

/s/Lacey M. Moore

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CERTIFICATE OF SERVICE

I hereby certify that on the 12th day of December, 2016, I served a copy of Defendants Substitute Trustee Services, Inc., Hutchens Law Firm, Lacey M. Moore, Christopher T. Salyer, and Shiann Schmidt's Motion for Extension of Time by either electronic notice in accordance with local rules or by depositing the same, enclosed in a postpaid, properly addressed wrapper, in an official depository under the exclusive care and custody of the United States Postal Service, said envelope being addressed as follows:

Michael J. Garvey
330 Walter Godbey Road
West Jefferson, NC 28694

Hutchens Law Firm LLP
Attorneys for Defendants Substitute Trustee
Services, Inc., Hutchens Law Firm, Lacey M.
Moore, Christopher T. Salyer, and Shiann
Schmidt

/s/Lacey M. Moore

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